

CITY OF MUSKEGON  
PLANNING COMMISSION  
REGULAR MEETING  
MINUTES

**December 14, 2017**

Vice Chairman B. Larson called the meeting to order at 4:00 p.m. and roll was taken.

MEMBERS PRESENT: T. Michalski, F. Peterson, B. Larson, B. Mazade, J. Doyle, S. Gawron,  
J. Montgomery-Keast

MEMBERS ABSENT: E. Hood; M. Hovey-Wright, excused

STAFF PRESENT: M. Franzak, D. Renkenberger

OTHERS PRESENT: R. Blasey, Bergmann Associates (Lansing); C. Grinwis, Hooker  
DeJong Engineers; R. Holmes, 297 W Clay #410; K. Kolberg, 3414  
Whiskey Hollow; L. Taunt, 2561 Maplewood Dr, Grand Rapids; C.  
Kufta, 3445 Keaton Ct., N. Hulka, 3020 Country Club Dr.; E.  
Kaminski, Shoreline Towers, Empire MI; J. Vorgias, 1438 Beach St.

**APPROVAL OF MINUTES**

A motion to approve the Minutes of the Planning Commission meeting of November 16, 2017 was made by F. Peterson, supported by J. Montgomery-Keast and unanimously approved.

**PUBLIC HEARINGS**

**Hearing, Case 2017-31:** Request to amend the final Planned Unit Development at 1740 E Sherman Blvd to allow construction of a new out-building and to increase the size of the existing pole sign, by Pacifica Companies. M. Franzak presented the staff report. The property at 1740 E Sherman Blvd is owned by Pacifica Muskegon, LLC. It measures just under seven acres and is part of a Planned Unit Development (PUD) that also includes about 10.5 acres of retail development owned by RCG-Muskegon, LLC. CRC Muskegon, LLC also owns about 0.7 acres of property, which is the Fazoli's restaurant. These three property owners are all under the same PUD. Pacifica Muskegon, LLC is proposing to construct a new out-building on its property, which would be located just east of the existing Fazoli's building. The new building will be set up for two separate tenants. The tenant closest to Sherman Blvd would have 2,595 sq ft of space and the back tenant would have 2,995 sq ft of space. The parking lot would be reconfigured for a drive thru window for the new building and four new landscaping islands would be added. Parking spaces would be restriped, with 32 spaces for the new building. A landscaping plan was recently submitted, and is acceptable.

The applicant also has two sign requests as part of this development. First, they would like to add a 10- x 10-foot monument sign in front of the new out-building, to be shared by the two new businesses. There are currently three existing out-buildings (Panera Bread, Fazoli's, and a closed Chinese buffet) and none of them have a separate monument sign; the new out-building would be the only one with a monument sign in this development. Second, they would like to increase the size of the large existing freestanding sign facing Sherman Blvd. There are currently two free-standing pole signs on site, one facing Sherman Blvd and one facing the highway. The zoning ordinance allows

both signs and the addition of more, since there are several parcels and multiple business in this development. However, both signs are larger than what is normally allowed by the ordinance, as an exception had been made as part of the original PUD process. They are now requesting to increase the size of the Sherman Blvd sign from 33 feet tall and 326 square feet total to 35.5 feet tall and 356 square feet total. The purposed of the larger signs is to accommodate the three new retail suites going in the former Target building. A site plan and sign renderings were provided. Notice was sent to all property owners/tenants within 300 feet of this property. At the time of this writing, staff had not received any comments from the public. Staff recommends approval of the PUD amendment, but would like to establish a plan for additional monument signs for out-buildings. M. Franzak stated that this request was previously scheduled for the October meeting, but agreements needed to be worked out between the parties involved in the PUD.

R. Blasey stated that they planned to renovate the former Target store into 3 separate spaces. The sign requests were mainly for the new businesses, since there was no room to add them on the currents signs.

A motion to close the public hearing was made by B. Mazade, supported by J. Montgomery-Keast and unanimously approved.

A motion that the request to amend the PUD at 1740 E Sherman Blvd for the addition of the out-building and the two sign requests as proposed, be recommended to the City Commission for approval was made by B. Mazade, supported by J. Montgomery-Keast and unanimously approved, with T. Michalski, F. Peterson, B. Larson, B. Mazade, J. Doyle, S. Gawron, and J. Montgomery-Keast voting aye.

**Hearing, Case 2017-32:** Request for a departure from Section 2009 of the Form Based Code section of the zoning ordinance to allow a larger projecting sign than permitted at 275 W Clay Ave, by Berkshire Muskegon. M. Franzak presented the staff report. This property is in the Form Based Code (FBC) zoning district and is currently under development. There will be 5,000 square feet of commercial space on the first floor and 84 apartments on the upper floors. The proposed sign is a “projecting sign” as defined by the FBC ordinance. It meets all of the requirements of the ordinance except the maximum height of four feet; they are requesting a departure from this requirement. The proposed sign is 21 feet tall, 2 feet 4 inches wide and will hang four feet off of the building wall. It will be internally illuminated. An encroachment agreement with the City will be required since the sign will project over the public sidewalk. Staff recommends approving the departure from this requirement because of the size of the development. A building this large warrants a unique large-scale sign in the proper location. First St is the best location for the sign because it is more of a commercial street than Clay Ave. This request is similar in nature to the exceptions granted to the Frauenthal and Amazon buildings. Notice was sent to all property owners/tenants within 300 feet of this property; at the time of this writing, staff had not received any comments and recommends approval of the request.

C. Grinwis worked for the architectural firm working on this building. He stated that the sign would be located on First St, closer to Webster Avenue than Clay. There would eventually be a smaller sign on the Clay Ave end for a café to be added in the future.

T. Michalski arrived at 4:10 p.m. and took over as chairperson.

R. Holmes lived in the area, and was concerned about how much light the sign would give off. T. Michalski stated that the Planning Commission was also concerned with lighting and they would have to follow the ordinance.

A motion to close the public hearing was made by B. Larson, supported by J. Doyle and unanimously

approved.

A motion that the request for a departure from Section 2009.13 (a) of the zoning ordinance to allow a larger projecting sign than permitted at 275 W Clay Ave be approved as proposed, was made by J. Doyle, supported by J. Montgomery-Keast and unanimously approved, with T. Michalski, F. Peterson, B. Larson, B. Mazade, J. Doyle, S. Gawron, and J. Montgomery-Keast voting aye.

**Hearing, Case 2017-33:** Staff-initiated request to amend Section 2321 of the zoning ordinance to expand the overlay district and allow Wireless Communication Service Facilities at 1800 Peck St (Marsh Field) and 2375 Beach St (Water Filtration Plant). M. Franzak presented the staff report. Cell phone towers are regulated by Section 2321 (Wireless Communication Service Facilities) of the zoning ordinance. An overlay district currently allows these facilities in four different locations in the City. Staff proposes to expand the overlay district with two new locations, one at Marsh Field and the other behind the water filtration plant on Beach St, in order to increase cell phone coverage throughout the City. This request is solely to expand the overlay district and allow companies to apply for a Special Land Use Permit to construct a new facility. Staff has been working with two companies that are interested in applying to install monopoles with a maximum height of 150 feet at these locations; however, this request is to approve the new districts only. Both locations are located in city charter parks, which cannot be sold. The City would retain ownership of the land and would lease the space to a private company. Although not required for an ordinance amendment, staff sent out notice letters to everyone within 300 feet of both proposed locations. At the time of this writing, staff had not received any comments from the Marsh Field area and one comment from the Water Filtration area who was generally in favor of the request. Staff recommends approval of the ordinance amendment.

B. Mazade stated that he was concerned with the type of structures that would be allowed. M. Franzak stated that both requests were for monopoles, not towers. He provided a picture of the type of pole being considered. J. Montgomery-Keast asked if it would block the residents' view. M. Franzak stated that the pole may be visible, but it was not large enough to block a view. K. Kolberg lived in the area and was opposed to the request. He stated that the proposed location was right in his sight line from his front window. L. Taunt owned property in the area and was also opposed to the request, as the pole would be visible from where he planned to eventually build a house. He stated that placing it a few hundred feet to the south would not block anyone's view. C. Kufta lived in the area and was opposed to having a pole located there, due to the size and obstructing the view. M. Franzak explained that this request was to allow an overlay district and not for a specific pole installation. C. Kufta stated that there was a tower at Elks Park that was unsightly and she did not want a similar look to spoil the natural beauty at Pere Marquette Park. She was also concerned about electronic air pollution and the possible devaluation of nearby properties. N. Hulka was also opposed to having a cell tower/pole in that location, as it interfered with the natural environment in the area. D. Kaminsky worked for Shoreline Towers in Empire MI and was representing the entity interested in erecting a pole at the water filtration plant. He stated that the beach area was in need of additional cell coverage. B. Larson stated that he is in the area regularly and stated that the pole would interrupt the natural beauty of the area. J. Montgomery-Keast asked if they had considered a less obtrusive location in the vicinity. D. Kaminsky stated that they had considered the water filtration plant property, as there were already 2 towers there as well as access to them. He and board members discussed the pole specs and other possible locations nearby that would be less visible. M. Franzak stated that, if the pole was placed further south of the filtration plant, a new access road would have to be built in order to access it which would disturb the dune area. D. Kaminsky stated that the base of the pole would be located among a stand of pine trees, which would help camouflage the base. J. Vorgias suggested placing the pole in the state park across the channel. B. Larson stated that the city

would not receive any lease revenues. D. Kaminsky stated that that location would not provide adequate coverage that they needed. N. Hulka stated that she would like more research done on other suitable locations in the area. T. Michalski stated that the city had to be cognizant of the critical dune areas. F. Peterson stated that, although the proposed location may affect some people, it would have the least amount of impact. B. Larson asked if other locations had been checked out. M. Franzak stated that he had driven around the area and there were few possibilities. B. Mazade agreed that better cell coverage was needed in that area, but he wanted to make sure they chose the least intrusive option.

A motion to close the public hearing was made by B. Larson, supported by J. Doyle and unanimously approved.

B. Larson asked if the two locations could be separated into separate motions. M. Franzak stated that they could. Board members discussed both locations.

A motion that the request to amend Section 2321 of the zoning ordinance to expand the overlay district for Wireless Communication Support Facilities be tabled until next month to give staff time to evaluate other possible locations was made by B. Larson, supported by J. Montgomery-Keast and unanimously approved, with T. Michalski, F. Peterson, B. Larson, B. Mazade, J. Doyle, S. Gawron, and J. Montgomery-Keast voting aye. M. Franzak asked what other information the board was looking for. T. Michalski stated that he would like staff to check out other locations and recommend the best one for the pole location.

### **NEW BUSINESS**

None

### **OLD BUSINESS**

None

### **OTHER**

There being no further business, the meeting was adjourned at 4:45 p.m.

DR